

Approved

**City of York Planning Commission
January 31, 2022
Minutes**

Members present:

Chairperson Wendy Duda
Maria Duncan
Arthur Lowry
Laura Korn
Marissa Harris
A. Lee McLin

Members absent:

Ron Parrish

Others present:

Planning Director Breakfield
Zoning Administrator Blackston
Mayor Fuesser & Barb Fuesser
City Manager Duncan
(see sign-in sheet)

The first item of business was Chairperson Wendy Duda calling the meeting to order at 6:00 pm.

The second item of business was the swearing in of the new Planning Commission members Laura Korn, Marissa Harris, and A. Lee McLin.

The third item of business was approval of the draft Minutes from the October 25, 2021 meeting.

Upon a Motion by Arthur Lowry, seconded by Maria Duncan, the Commission unanimously approved the draft Minutes as submitted.

For the fourth item of business, Chairperson Duda opened the floor for comments from the public on agenda items.

Chris Reinke of 2050 York Highway commented regarding the Brighton Springs project encroaching upon his property, about bufferyard widths, HOA management for the development and the effects of the construction on his well and water quality.

The fifth item of business was the discussion of a proposed single-family dwelling subdivision, Brighton Springs, to be located off of York Highway at the intersection of Park Place Road (referenced by Tax Map Id # 3960000002 & 3960000027):

The following was discussed:

- a. The City has received application to rezone the referenced property from York County zoning classification RUD to City of York zoning classification R5-Multifamily Residential. An annexation request will be required for this project.

As with any rezoning application, the Planning Commission (PC) must review the application and then render a recommendation to York City Council. As the rezoning application is reviewed, the PC must be mindful that, among other things, the City's Comprehensive Plan must be used in the evaluation process. City Council must take the PC recommendation, conduct a public hearing(s), receive public feedback and make a final decision on the matter.

- b. In a R5 – Multifamily Residential Zoning District, single-family dwelling subdivisions are allowed only by special exception approval. The City received a special exception application and conceptual site plan for a single-family dwelling subdivision to be located as referenced above.

Any recommendation for approval of the special exception application and conceptual site plan must be contingent on York City Council ultimately approving the requested annexation and R5 – Multifamily Residential zoning designation for the properties.

As the special exception application and conceptual site plan are reviewed, the PC must be mindful that, among other things, the City's Comprehensive Plan must be used in the evaluation process and that the following factors must be addressed in the decision-making process:

- The proposed design and location of the particular development.
- The possible traffic-generating characteristics of the proposed development.
- The effects of the proposed development on the present or intended character of the area in which it is proposed for location.
- The availability of public utilities, facilities and services.

As with any special exception application, the PC must review the application and then render a recommendation to the Board of Zoning Appeals (BZA). The BZA must take the PC recommendation, conduct a public hearing(s), receive public feedback and make a final decision on the matter.

The special exception application and conceptual site plan for the project were included in the meeting packet.

- c. The PC has a maximum of 75 days from the initial official meeting regarding these applications to review and make recommendations regarding such applications.
- d. If a rezoning application is denied, such application cannot be resubmitted for at least one year.

Representatives of Meritage Homes presented and discussed the proposed project. The presentation included an itemized response to previous comments by the PC and City staff.

The PC members discussed the project in detail regarding open space, parking, setbacks, side load garages, phasing plan, elevations, building materials, price range, and amenities.

The PC advised the developer to revise the plan using staff comments and PC input regarding the project and resubmit a revised plan.

The sixth item of business was the discussion of a proposed townhome/single family dwelling subdivision, Cannon Village, to be located off of Fourth Street across from the York Recreation Complex (referenced by Tax Map Id #0701601002):

The following was discussed:

- a. The City has received application to rezone the referenced property from R12 - Residential to R5 - Multifamily Residential.

As with any rezoning application, the PC must review the application and then render a recommendation to York City Council. As the rezoning application is reviewed, the PC must be mindful that, among other things, the City's Comprehensive Plan must be used in the evaluation process. City Council must take the PC recommendation, conduct a public hearing(s), receive public feedback and make a final decision on the matter.

- b. In a R5 – Multifamily Residential Zoning District, single-family dwelling subdivisions are allowed only by special exception approval. The City received a special exception application and conceptual site plan for a single-family dwelling subdivision to be located as referenced above.

Any recommendation for approval of the special exception application and conceptual site plan must be contingent on York City Council ultimately approving the requested R5 – Multifamily Residential zoning designation for the property.

As the special exception application and conceptual site plan are reviewed, the PC must be mindful that, among other things, the City's Comprehensive Plan must be used in the evaluation process and that the following factors must be addressed in the decision-making process:

- The proposed design and location of the particular development.
- The possible traffic-generating characteristics of the proposed development.
- The effects of the proposed development on the present or intended character of the area in which it is proposed for location.
- The availability of public utilities, facilities and services.

As with any special exception application, the PC must review the application and then render a recommendation to the Board of Zoning Appeals (BZA). The BZA must take the PC recommendation, conduct a public hearing(s), receive public feedback and make a final decision on the matter.

The special exception application and conceptual site plan for the project were included in the meeting packet.

- c. The PC has a maximum of 75 days from the initial official meeting regarding these applications to review and make recommendations regarding such applications.
- d. If a rezoning application is denied, such application cannot be resubmitted for at least one year.

Representatives of R. Joe Harris and Associates presented and discussed the proposed project. The presentation included an itemized response to previous comments by the PC and City staff.

The PC members discussed the project regarding parking, heated area of homes, lot size, alley area, building materials, price range, and abandoned railroad use.

The PC advised the developer to revise the plan using staff comments and PC input regarding the project and resubmit a revised plan.

The seventh item of business was the discussion of an application to rezone properties from R15 – Restricted Residential and R7 – Residential to R5 – Multifamily Residential (near Springlake Country Club off of Springlake Road and Blessed Hope Road) (referenced by Tax Map Id # 0702301004, 0702301005 & 0702301007):

The following was discussed:

- a. The City has received application to rezone the referenced property from R15 – Restricted Residential and R7 – Residential to R5- Multifamily Residential.
- b. As with any rezoning application, the PC must review the application and then render a recommendation to York City Council. As the rezoning application is reviewed, the PC must be mindful that, among other things, the City’s Comprehensive Plan must be used in the evaluation process. City Council must take the PC recommendation, conduct a public hearing(s), receive public feedback and make a final decision on the matter.
- c. In a R5 – Multifamily Residential Zoning District, single-family dwelling subdivisions are allowed only by special exception approval. We received a special exception application and conceptual site plan for a single-family dwelling subdivision to be located as referenced above.

d. Planning Director Breakfield shared the following information as background:

- In 2021, the PC recommended that the York City Council deny a similar rezoning request for the property along with the accompanying special exception application and conceptual site plan.
- Thereafter, the Board of Zoning Appeals (BZA) received the negative recommendation and then conditionally approved the special exception application and conceptual site plan for the project.
- Later in 2021, the applicant withdrew the previous rezoning application; however, the BZA conditional approval is still in place for a certain period of time awaiting the ultimate outcome of the rezoning request.
- The applicant has now submitted a similar rezoning application for review by the City. As a new application, the application, the application must go through the standard review process required for such applications.
- The PC has a maximum of 75 days from the initial official meeting regarding these applications to review and make recommendations regarding such applications.
- If a rezoning application is denied, such application cannot be resubmitted for at least one year.

Brandon Pridemore with R. Joe Harris and Associates presented the rezoning application and discussed the proposed project.

The PC indicated that it would review and discuss the application further at its next meeting.

The eighth item of business was discussion of proposed amenities package for Fergus Crossroads project.

Brandon Pridemore with R. Joe Harris and Associates presented the amenities package to the PC. The PC was very happy with the overall presentation.

By affirmation, the PC approved the amenities package for Fergus Crossroads.

The ninth item of business was discussion of a potential zoning amendment regarding brewpubs, taprooms, distilleries, etc.

Planning Director Breakfield explained that City Council requested the PC consider expanding the brewpub ordinance recommendation to cover other similar uses as well as identifying appropriate zoning districts for such uses.

The PC asked that definitions for breweries, microbreweries, distilleries, etc. be researched and added to the potential zoning amendment to be discussed further at an upcoming meeting.

The tenth item of business was review and approval of the revised Official Zoning Map.

Upon a Motion by Arthur Lowry, seconded by Maria Duncan, the Commission unanimously approved the Official Zoning Map as submitted.

The eleventh item of business was review and approval of the draft 2022 meeting calendar.

By affirmation, the PC approved the 2022 meeting calendar.

There being no further business, the meeting was adjourned at 7:45 pm.

Respectfully submitted,

C. David Breakfield, Jr. MCP, AICP
Planning Director

cc: File – Planning Commission 1/31/2022
Seth Duncan, City Manager